

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

JEFFREY KLEIBER)	
)	
v.)	NO. 2:03-CR-04
)	NO. 2:04-CV-172
UNITED STATES OF AMERICA)	

ORDER

This criminal matter is before the Court to consider a motion to correct his sentence filed by the defendant requesting that the remainder of his sentence be at a halfway house or on home confinement. It is clearly settled that after a defendant is sentenced, the Bureau of Prisons ("BOP"), and not the district judge, has authority to determine when a sentence is deemed to commence, whether defendant should receive credit for time spent in custody before the sentence commenced, whether defendant should be awarded credit for good time, and the place of confinement. The BOP may consider the recommendation of the sentencing judge, but the judge's views are not controlling. 18 U.S.C.A. §§ 3585(a) and (b), 3621(b), 3624(b); *United States v. Wilson*, 503 U.S. 329 (1992); *United States v. Pineyro*, 112 F.3d 43 (2nd Cir. 1997).

Accordingly, this Court does not have jurisdiction to order the relief requested by the defendant, and it is hereby **ORDERED** that the defendant's motion is **DENIED**. [Doc. 1].

E N T E R:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE